

Exhibit 16

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
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5 SANDRA GUZMAN,

6 Plaintiff, Action No.

7 vs. #09-CIV-9323

8 NEWS CORPORATION, NYP (BSJ) (RLE)

9 HOLDINGS, INC., D/B/A THE

10 NEW YORK POST, AND COL

11 ALLAN, IN HIS OFFICIAL

12 AND INDIVIDUAL

13 CAPACITIES,
14

15 Defendants.
16 -----

17 DEPOSITION OF MARY McLOUGHLIN

18 NEW YORK, NEW YORK

19 April 30, 2013
20
21
22

23 Reported by: Arielle Santos

24 Job No. 60930
25

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1 MARY MCLOUGHLIN
 2 A. Oh, probably not even once a month.
 3 Q. Okay.
 4 Do you still do any work for the
 5 New York Post in any capacity?
 6 A. No.
 7 Q. Do you know who David Boyle is?
 8 A. Yes.
 9 Q. Okay.
 10 And who is David Boyle?
 11 A. He is the executive photo editor.
 12 Q. You had identified him as one of
 13 your supervisors at the time you left the Post;
 14 correct?
 15 A. Yes.
 16 Q. And how long -- or I should say when
 17 did you first meet Mr. Boyle?
 18 A. I think in -- like, 2002 I think he
 19 got there.
 20 Q. So had you met Mr. Boyle at any time
 21 before he began working at the Post?
 22 A. No.
 23 Q. And how often during your last two
 24 or three years of employment at the Post did
 25 you interact with Mr. Boyle?

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 2 Boyle your supervisor for that entire period?
 3 A. Yes.
 4 Q. Yes.
 5 During that time, did you ever hear
 6 or witness any conduct by Mr. Boyle that you
 7 felt was disrespectful or demeaning to women?
 8 A. At the Christmas party.
 9 Q. Okay.
 10 When was that Christmas party?
 11 A. I think it was 2006.
 12 Q. Okay.
 13 And what conduct was that?
 14 A. Well, there was a bunch of the girls
 15 he had hired and they were really dressed up,
 16 made up, and I said to one of them, you know,
 17 "What is going on?" And she told me that David
 18 had hired a makeup artist to do them up for the
 19 Christmas party. And I asked her a bunch of
 20 questions, and the more questions I asked her,
 21 she told me she didn't like the way I was
 22 asking the questions. And then he was, you
 23 know, dancing with them two at a time, and, you
 24 know, it was quite -- it was a dirty dancing,
 25 you know. It was very inappropriate behavior,

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 2 A. He would answer the phone. I mean,
 3 a lot, you know.
 4 Q. When you say "a lot," was it daily?
 5 A. Not daily, but a couple of times a
 6 week, I would say.
 7 Q. Okay.
 8 Were those interactions mostly by
 9 phone? by e-mail? How?
 10 A. Phone.
 11 Q. Okay.
 12 During the time that you worked
 13 with -- let me ask you this question.
 14 When did Mr. Boyle become your
 15 supervisor?
 16 A. When he came in 2002.
 17 Q. Okay.
 18 So was Mr. Boyle one of your
 19 supervisors for the entirety of the period from
 20 2002 through the end of your employment at the
 21 Post?
 22 A. He left for a short period of time
 23 to go to some online venture. I don't think it
 24 even lasted six months, and then he came back.
 25 Q. So other than that period was Mr.

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 2 in my mind.
 3 Q. And about how long did that dancing
 4 go on?
 5 A. Oh, it was going on for -- I mean, I
 6 wasn't watching it the whole time, but -- I
 7 don't remember.
 8 Q. And was that party attended by
 9 employees of the photo department?
 10 A. No. It was a big, huge News
 11 Corporation party. They took over the whole
 12 hotel pretty much -- or the whole floor of that
 13 hotel.
 14 Q. And when you say it was a News
 15 Corporation party, was it only attended by
 16 employees of the New York Post or by other
 17 entities as well?
 18 A. Other entities as well.
 19 Q. Including News Corporation?
 20 A. Hm-hm.
 21 Q. And how do you know that?
 22 A. Because I was told that -- it was a
 23 massive, massive -- I don't know. I just knew
 24 it. We were told it wasn't going to be a
 25 New York Post party; that it was going to be

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A. I do know Kim. I mean, we worked together for a lot of years.

Q. Okay.

And at any point did Kim Livingston ever express to you any concerns about discrimination -- whether based on gender, race -- or any other thing at the New York Post?

MS. LOVINGER: This deposition has nothing to do with --

MR. PEARSON: Excuse me. This deposition --

We're off the record.

(Whereupon a Discussion is Held Off the Record.)

BY MR. PEARSON:

Q. Did you ever discuss anything of that nature with Ms. Livingston?

A. Could you repeat the question.

(Whereupon the Question is Read

Back.)

THE WITNESS: Not that I recall.

BY MR. PEARSON:

Q. Did Mr. Boyle engage in any other

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conduct at the 2006 Christmas party that you believe was disrespectful or demeaning towards women?

A. Not that I recall.

Q. And has Mr. Boyle engaged in any other conduct that you believe was disrespectful or demeaning towards women?

A. I think that David Boyle -- these jobs never existed before David Boyle started, and they were all filled with young girls; young, attractive women. At that same Christmas party I said to him, you know, "What is this all about?"

And he said -- I said, "The Daily News would love this story."

And he said, "They already know. Everybody knows."

Q. When you said, "The Daily News would love this story," what did you mean?

A. I thought it was pretty inappropriate to hire a makeup artist to do the girls up and, you know, he was -- you know -- they were his girls, you know. And I thought that was inappropriate, yes.

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Q. So you discussed the hiring of the makeup artist with Mr. Boyle?

A. I did.

Q. And what was the content of that discussion? What did you say? What did he say?

A. He said -- he -- he said -- well, a conversation -- I had said -- I was joking when I said it, but I said, you know, "The Daily News would love something like this."

And he said, "They know. Everybody knows." And I said -- and he said, "I think women work harder than men, and I will deny saying it if anybody asks me."

(Whereupon the Answer is Read Back.)

BY MR. PEARSON:

Q. Do you recall saying anything else to Mr. Boyle at the party?

A. I also asked him if his wife was coming, and he told me not at this party. "I would never have her to this party," is what he said.

Q. Did he explain why?

A. No.

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Q. Did you and Mr. Boyle say anything else to each other at that party?

A. Not that I recall.

Q. Okay.

When you say that the women you are talking about -- and just for clarity of the record I want to make sure we are talking about the various photo editors you mentioned. Okay?

You described them before as his girls. What did you mean?

A. It was pretty much common knowledge that these girls all would go out drinking with him and go to karaoke parties, and he would treat them special.

Q. How would he treat them special?

A. Well, he would take them out -- and the makeup artist would be special. I mean, things were -- you know.

Q. And why do you believe they were treated special?

A. Because he liked having pretty young things around him.

Q. What do you base that on?

A. The fact that these jobs never

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 2 existed before, and they were all filled with
 3 young, attractive women.
 4 Q. And did you discuss the filling of
 5 new job positions with the young, attractive
 6 women in the photo department with anyone else
 7 at the Post?
 8 A. Yes. But not anybody -- I mean, the
 9 conversation, it was -- everybody talked about
 10 it.
 11 Q. When you say "everybody," could you
 12 think of any examples?
 13 A. No. Not really. I mean, as I said,
 14 it was just common knowledge -- I mean.
 15 Q. And did you discuss this with anyone
 16 outside of the photo department?
 17 MR. SINHA: Aside from your
 18 attorneys.
 19 THE WITNESS: I know. I am -- I am
 20 just trying to think. Probably. I just
 21 don't remember.
 22 BY MR. PEARSON:
 23 Q. Well, you referred to it as common
 24 knowledge.
 25 Do you believe that employees

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 2 A. No.
 3 Q. Have you ever heard Mr. Boyle use
 4 language that you felt was disrespectful or
 5 demeaning towards women?
 6 A. No.
 7 Q. Have you seen Mr. Boyle engage in
 8 any other conduct, outside of the holiday party
 9 we were discussing, that you felt was
 10 disrespectful or demeaning towards women?
 11 A. No.
 12 Q. Have you ever heard Mr. Boyle use
 13 the term harem?
 14 A. No.
 15 Q. Have you heard anyone else at the
 16 New York Post ever use the term harem with
 17 respect to Mr. Boyle's young, female
 18 subordinates?
 19 A. Yes. But I don't remember who. I
 20 mean, when I say it's common knowledge, it just
 21 never stuck in my mind. It was always David's
 22 girls or David's harem that was being referred
 23 to.
 24 Q. So you do recall others at the
 25 New York Post using those terms?

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 2 outside of the photo department were aware of
 3 Mr. Boyle's --
 4 A. Yes. Absolutely.
 5 Q. They were aware of Mr. Boyle's
 6 hiring of these employees?
 7 A. (Witness nods head.)
 8 Q. "Yes"?
 9 A. Yes. Sorry.
 10 Q. No problem.
 11 And do you know whether the hiring
 12 of those employees was approved by anyone else
 13 at the New York Post?
 14 A. I do not know that.
 15 Q. Do you recall discussing the hiring
 16 of the women to these positions with any
 17 editorial staff, other than Mr. Boyle?
 18 A. I don't recall.
 19 Q. Do you recall discussing the hiring
 20 of these women with any reporters at the Post?
 21 A. I don't recall.
 22 Q. Did you ever discuss any conduct on
 23 the part of Mr. Boyle that you felt was
 24 disrespectful against women -- excuse me --
 25 with human resources at the Post?

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 2 A. I do, but I can't tell you who. I
 3 mean, it was -- I just don't remember.
 4 Q. Was it multiple people?
 5 A. Okay.
 6 I don't know how to put it in any
 7 way, but it was common knowledge.
 8 Q. So do you recall having
 9 conversations you believe -- that you believe
 10 referred to David's girls or David's harem with
 11 other multiple other New York Post employees?
 12 A. Probably. I just -- you know.
 13 MS. LOVINGER: Are you asking the
 14 witness to guess?
 15 MR. PEARSON: I am not asking the
 16 witness to guess. She is testifying from
 17 her personal knowledge, and she has
 18 counsel.
 19 THE WITNESS: I don't recall the
 20 people that I had the conversations with.
 21 It was pretty much -- it was -- that's all
 22 I can say. I don't recall.
 23 BY MR. PEARSON:
 24 Q. And --
 25 A. Oh, I'm sorry. I do recall.